

**INITIAL STATEMENT OF REASONS**  
Title 13, Division 1, Chapter 1  
Article 3.1 – Special Interest License Plates

The Department of Motor Vehicles (department) proposes to adopt Sections 205.00, 205.02, 205.04, 205.06, 205.08, 205.10, 205.12, and 205.14 in Article 3.3, Division 1, Chapter 1 of the California Code of Regulations, relating to Special Interest License Plates.

Assembly Bill (AB) 462 (Chapter 497, Statutes of 2007) amended Vehicle Code section 5004.1 relating to Model Year Date License Plates, commonly known as the Year of Manufacture (YOM) Program. The amendments allow a 1969 or older model passenger vehicle or a 1972 or older model commercial vehicle to utilize previously-issued California license plates that correspond to the model year of the vehicle when it was originally produced. The department, under authority granted by Vehicle Code sections 1651 and 5110, is proposing regulations to specify which license plate configurations will be acceptable for registration under the YOM program.

The department began issuing license plates for vehicle registration purposes in 1914 and since then has issued license plates in numerous configurations of background colors, letter colors and letter/number configurations. Car enthusiasts believe an older model vehicle displaying license plates original to the year of the vehicle, adds to the historic, or even market value of the vehicle. Because the department no longer produces license plates in configurations acceptable for the YOM program, suitable plates are often found by vehicle owners at garage sales, flea markets, and through online auctions and shopping websites. Once a car owner obtains a license plate that corresponds to the vehicle he or she is seeking to register with the plates, the owner makes contact with the department for authentication. An authentic YOM license plate will have the year the plate was manufactured stamped into the plate. This year is referred to as the “base” year. If a YOM plate is to be utilized for a year other than the base year, the license plate must have a year validation sticker attached to it. For example, a 1955 base year license plate must have a 1959 validation sticker attached to it to be used on a 1959 model vehicle.

In 1963, the department switched to issuing license plates displaying a black background with yellow characters, or yellow-on-black plates. Beginning in 1970, the department issued yellow-on-blue plates to passenger vehicles and continued issuing yellow-on-black plates to commercial vehicles through 1972, when it began issuing yellow-on-blue plates to commercial vehicles as well.

Due to the variance of license plates issued to commercial vehicles in the early 1970’s, the department has determined it necessary to implement guidelines as to which license plate configurations will be acceptable for commercial registration purposes.

**§205.00. Definitions**

Subsection (a) is added to state the commonly used acronym for the Year of Manufacture Program (YOM). This acronym appears throughout the proposed regulations and on the department's prescribed forms.

Subsection (b) is added to define a base year license plate. For a license plate to be acceptable for registration under the YOM Program. The base years are given in regulation for easy reference.

Subsection (c) is added to define a tab. Tabs were utilized on some of the first plates as a means to identify the year registration expired. The tab was mounted to the license plate in either the right or left top corner.

Subsection (d) is added to define a sticker. The term 'sticker' is more commonly known as the adhesive-backed decal whose color indicates the year registration expires.

Subsection (e) is added to ensure the 'current license plate' is not confused with the YOM plate being used for registration purposes.

**§205.02. Application Requirements for Year of Manufacture License Plates.**

Subsection (a) is added to require an applicant, who is requesting to have a YOM license plate registered to a qualifying vehicle, to complete a Year of Manufacture (YOM) License Plate Application, form REG 352 (Rev. 2/2009), hereinafter referred to as the application, as a part of the application process. The department is authorized by Vehicle Code Section 1652 to prescribe forms necessary to gather data to update and maintain departmental registration databases.

Subsections (a)(1) through (a)(10) require the applicant to complete ownership information and vehicle information as solicited on the application as discussed below.

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The Year of Manufacture (YOM) License Plate Application is a new departmental form prepared and utilized only for the YOM program. The application consists of applicant and vehicle information as well as an informational section, which the applicant is required to read and certify.

The top of the application requires the applicant to indicate whether the application is being submitted for original assignment, reassignment, retention or to release interest in the YOM license plate. This information is necessary to ensure the department is registering the vehicle in the manner consistent with an original assignment, reassignment, retention or release, and to ensure the department collects the appropriate fee, as required by Vehicle Code section 5004.1, which is in addition to regular registration fees.

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The top of the application also requires the applicant to identify the YOM license plate number he or she is requesting to have assigned to the qualifying vehicle. This information is necessary to allow the department to verify that the license plate number is not an active number assigned to another vehicle. If the number is already assigned to another vehicle, the department will refuse to register the YOM license plate.

The applicant is required to provide his or her name, California driver license number and mailing address. This information is necessary to ensure the department registration records are accurate.

The applicant is required to provide the vehicle's identification number as well as its make and year model. This information is necessary to ensure the department registration records are accurate and the vehicle qualifies for registration under the YOM program.

The applicant is required to sign under penalty of perjury under the laws of the State of California that the information entered on the application is true and correct and that he or she has read the conditions under which the YOM plates may be assigned, reassigned, or retained when not assigned to a vehicle. The department is granted the authority in Vehicle Code section 1652(b) to have an applicant sign under penalty of perjury. Code of Civil Procedure section 2015.5 provides the certification "under penalty of perjury" statement used on department forms.

The following items are the conditions to which the applicant is certifying he or she has read.

1. The YOM plates described in this application must be authentic and serviceable as determined by the Department of Motor Vehicles (DMV) and must have the approval of DMV headquarters.

Vehicle Code section 5004.1(a) authorizes this provision.

2. The YOM plate number cannot conflict with any Special Interest License Plate or configuration currently in use.

Every license plate number/letter configuration in California must be unique. When provided with the plate number the applicant is requesting to have registered to their YOM qualifying vehicle, the department representative will check registration records and ensure the number/letter configuration is not currently in use. If the number is in use, the applicant will be refused registration.

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3. Configuration of letters and numbers cannot carry any connotations offensive to good taste and decency.

Vehicle Code section 5105 allows the department to “refuse to issue any combination of letters or numbers, or both, that may carry connotation offensive to good taste and decency.”

4. YOM program extends to 1972 year model and older commercial vehicles only.

This provision is provided in Vehicle Code section 5004.1(a).

5. YOM program extends to 1969 year model and older auto, motorcycle or trailer vehicles only.

This provision is provided in Vehicle Code section 5004.1(a).

6. 1963 to 1969 year model autos, trailers, and motorcycles may utilize 6 character black base plates with yellow characters only.
7. 1970 to 1972 year model commercial vehicles may utilize 6 character black or blue base plates with yellow characters.

The department has determined it necessary to regulate which color license plates and which number/letter configurations will be acceptable for purposes of the YOM program.

8. Two plates are required for every qualifying vehicle and must be compatible (auto to auto, commercial to commercial, etc.).

Vehicle Code section 5200 (a) requires the issuance of two license plates for use upon a vehicle.

9. If an applicant wishes to retain YOM plates that are assigned to a vehicle in which the vehicle is not currently registered, a \$20 retention fee is due each year.

This fee is required by Vehicle Code section 5004.1(c).

The bottom portion of the form contains information used by department personnel only.

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Subsection (b) is added to require the applicant to submit the following YOM license plate fees:

- \$45 for original issuance as required by Vehicle Code section 5004.1(b).

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- \$10 for renewal as required by Vehicle Code section 5004.1(c).
- \$20 to retain the license plate as required by Vehicle section 5004.1(c).
- \$12 for transfer as required by Vehicle Code section 5004.1(d).

Subsection (c) is added to require the applicant to produce the current registration card of the vehicle so the department can verify the vehicle qualifies for registration under the YOM program.

**§205.04. Year of Manufacture License Plates for Vehicles with Model Years Prior to 1963.**

Subsection (a) is added to clarify that an applicant in possession of a base year license plate must also have a year sticker or tab attached to the plate in order for it to qualify as a YOM plate. If an applicant with a 1958 vehicle has a YOM plate that he wishes to register to the 1958 vehicle, he must have a 1956 license plate (base plate) with a 1958 sticker or tab for validation. Only when the tab or sticker, indicating the year of the vehicle, is with the base plate will the department register the plate.

Subsection (a)(1) is added to clarify that license plates distributed to vehicles with model years 1942 and prior, 1947 and 1956 are base plates. Any vehicles with model years other than those given in this subsection will be required to have a sticker or tab at the time of vehicle registration.

**§205.06. Year of Manufacture License Plates for Vehicles with Model Years 1963 through 1972.**

Subsections (a) through (d) are added to identify license plate color/number configurations acceptable for YOM program registration. The department, in an effort to maintain order and consistency in YOM program, has determined it necessary to limit plate configurations to those defined in subsections (a) through (d) of Section 205.06.

**§205.08. Eligibility.**

Subsection (a) is added for clarity and will ensure an applicant is aware that he or she must supply their own license plate. The department does not issue license plates other than those used for standard registration purposes. Also, this subsection informs the affected public that the plate must be authenticated by department personnel.

Subsection (b) is added for clarity and will notify the applicant that it is his or her responsibility to prove that the year model of the vehicle described in the application is correct. This can be proven by, among other things, providing a copy of the vehicle's registration.

Subsection (c) is added for clarity and requires license plates, requested for registration under the YOM program, be legible and unaltered. This requirement is provided in Vehicle Code Section 5004.1(a).

Subsection (d) is added for clarity and will notify an applicant that Special Construction Vehicles, or Kit Cars, are not eligible for YOM registration. Vehicle Code section 580

defines a Special Constructed Vehicle as a vehicle constructed from a kit, new or used, or a combination of parts or a vehicle reported for dismantling, which has been

reconstructed. To allow kit cars entry to the YOM program would undermine the programs integrity.

**§205.10. Surrender of Current License Plates.**

Subsection (a) is added to require an applicant to surrender the current license plate to the department at the time the YOM plates are assigned to the qualifying vehicle.

Subsection (b) is added to require an applicant, whose qualifying vehicle does not have current license plates, to complete a Statement of Facts, Form REG 256 (Rev. 8/2008) and state that he or she understands the current license plates are no longer valid and he or she will destroy the plates when/if they are located.

Subsection (b)(1) is added for clarity and notifies an applicant that plates are considered destroyed when they are mutilated in a manner which renders them useless. This provision is consistent with other special license plate provisions that require an applicant to destroy plates if they are found after new plates are assigned to the vehicle.

NOTE: The Statement of Facts, Form REG 256 was last adopted in 2007 (OAL FILE number Z-2007-1012-02) with a revision date of 1/2007. In August 2008, Part B of the REG 256 form was amended to add the term “as defined in Family Code §297” when defining a domestic partner. This amendment is unrelated to this regulatory package. The deleted and adopted copies of the REG 256 are attached and incorporated by reference.

**§205.12. Transferring Vehicles Displaying Year of Manufacture License Plates.**

Subsection (a) is added for clarity and permits a YOM plate to be transferred between vehicles, provided the vehicle and license plate are compatible as described in Section 205.04 or 205.06 of this Article and application procedures are followed as described in Section 205.02 of this Article.

Subsection (b) is added to permit a YOM plate to remain on a vehicle when ownership is transferred. Subsection (b)(1) requires the seller to complete a YOM application indicating that he or she is releasing interest in the plate. Subsection (b)(2) requires the purchaser to complete the YOM program application process provided in Section 205.02 of this Article. These procedures will ensure the department’s registration databases are properly updated and the plate holder is paying the required fees at the time of renewal.

**§205.14. Retention of Year of Manufacture License Plates.**

Subsection (a) is added to permit a YOM plate holder to retain the license plate when the vehicle registration is not renewed. The plate holder is required to pay the annual retention fee of twenty dollars (\$20). This provision is given in Vehicle Code Section 5004.1(c). Subsection (a)(1) is added to require the plate holder to complete a YOM application indicating that he or she wishes to retain the license plate.

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